

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

FILED

2012 SEP -5 PM 2: 33

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN

JAMES MILLER,

Plaintiff,

v.

ALFA INSURANCE a/k/a ALFA  
ALLIANCE INSURANCE  
CORPORATION,

Defendant.

Case No. \_\_\_\_\_

**NOTICE OF REMOVAL**

Defendant, ALFA Alliance Insurance Corporation, hereby notifies the Judges of the United States District Court for the Middle District of Tennessee, the Clerk of the Circuit Court of Maury County, Tennessee at Columbia, and Plaintiff, James Miller, that the action described herein and filed in the Circuit Court of Maury County, Tennessee at Columbia, is removed to the United States District Court for the Middle District of Tennessee, at Nashville, pursuant to 28 U.S.C. §1441.

1. On August 2, 2012, plaintiff, James Miller, filed a civil action bearing Case No. 14397 against the defendant, ALFA Insurance a/k/a ALFA Alliance Insurance Corporation ("ALFA"), a Virginia corporation, in the Circuit Court of Maury County, Tennessee. Service of the complaint and summons was made upon the Tennessee Department of Commerce and Insurance on or about August 6, 2012.

2. Plaintiffs filed this action seeking damages for alleged unpaid repair costs, loss of opportunity, living expenses, negligence and infliction of emotional distress. (A copy attached hereto as exhibit 1).

3. Petitioner seeks removal of this action to this Court on the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000), exclusive of the interest and costs, pursuant to 28 U.S.C. §1332. In particular, the plaintiff in the underlying action seeks recovery of policy benefits and tort theories of recover due to defendant's alleged failure to pay under a homeowner's policy.


4. Plaintiff is a resident of Columbia, Tennessee in Maury County, Tennessee, and was at the time of the filing of this action and at the time of the removal. Defendant, ALFA, is a corporation organized under the laws of Virginia with its principal place of business in Glen Allen, Virginia. Accordingly, this matter involves citizens of different states.

5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon defendant, is attached hereto.

WHEREFORE, notice is hereby given that the said Civil Action No. 14397 is removed from the Circuit Court of Maury County, Tennessee, to this Court.

Respectfully submitted,



**E. JASON FERRELL**

Registration No. 24425

Attorney for Defendant ALFA Alliance  
Insurance Corporation

**BREWER, KRAUSE, BROOKS,  
CHASTAIN & BURROW, PLLC**

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Nashville, TN 37202-3890

(615) 256-8787

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of September, 2012, a true and correct copy of the foregoing has been sent, via first-class mail, postage prepaid to:

Matt Q. Bastian  
2488-B Park Plus Drive  
Columbia, TN 38401



E. JASON FERRELL